

APPENDIX

JUL 26 1972

MICHAEL SOBAK, JR., CLERK

In the  
**Supreme Court of the United States**

OCTOBER TERM, 1972

\_\_\_\_\_  
No. 71-1304  
\_\_\_\_\_

**CHARLES B. BRADLEY, JR., ET AL.,**  
**PETITIONERS,**

**v.**

**UNITED STATES OF AMERICA,**  
**RESPONDENT.**

\_\_\_\_\_  
**ON WRIT OF CERTIORARI TO THE**  
**UNITED STATES COURT OF APPEALS**  
**FOR THE FIRST CIRCUIT.**

\_\_\_\_\_  
**PETITION FOR CERTIORARI FILED APRIL 10, 1972**  
**CERTIORARI GRANTED JUNE 12, 1972**  
\_\_\_\_\_

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# **CHRONOLOGICAL LIST OF RELEVANT DOCKET ENTRIES**

**1971**

**Mar. 18** Indictments returned against all four defendants:

**Counts**

**United States vs. Charles B. Bradley, Jr. 1, 3, 4**

**Byron H. Johnson 1, 2**

**Robert T. Odell, Jr. 1, 5**

**William James Helliesen 1, 6**

**26 U.S.C. 7237(b)—Conspire to sell a narcotic  
drug, Cocaine (count 1)**

**26 U.S.C. 4705(a)—sell a narcotic drug without  
written order (counts 2, 3).**

**19 U.S.C. 924(c)(2)—Carry a firearm during  
commission of a felony (counts 4, 5, 6)**

**29** Four defendants appear with counsel for arraignment, United States District Court, District of Massachusetts, before Wyzanski, Ch.J.

**May 4** Jury trial commenced.

**6** Jury returns with following verdicts:

**Count 1 Charles B. Bradley, Jr. Guilty**

**Robert T. Odell, Jr. Guilty**

**Byron H. Johnson Guilty**

**William James Helliesen Guilty**

**Count 2 Byron H. Johnson Not Guilty**

**Count 3 Charles B. Bradley Not Guilty**

**Count 4 Charles B. Bradley Guilty**

**Count 5 Robert T. Odell, Jr. Guilty**

**Count 6 William James Helliesen Guilty**

**June 7** Defendants Bradley and Odell file notice of appeal.

**11** Defendants Johnson and Helliesen file notice of appeal.

1972

- Jan. 27 Opinion from Courts of Appeals entered . . . Affirmed.
- Feb. 8 Motion for order vacating sentences and for remand of appellants filed, Motion for stay of mandate filed in Court of Appeals.
- Mar. 10 Order of Court of Appeals, First Circuit, denying motions for vacating sentences, for remand and for stay of mandate.

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**Criminal No. 71-147-W**

**UNITED STATES OF AMERICA**

**CHARLES B. BRADLEY, JR.**

**BYRON H. JOHNSON**

**ROBERT T. O'DELL, JR.**

**WILLIAM J. HELLIESEN**

**INDICTMENT**

**The grand jury charges:**

**COUNT I**

From on or about March 4, 1971, and continuously thereafter up to and including March 12, 1971 at Cambridge and Provincetown in the District of Massachusetts and various other places known and unknown to the grand jury, **CHARLES B. BRADLEY, JR., BYRON H. JOHNSON, ROBERT T. O'DELL, JR., WILLIAM J. HELLIESEN,** and Arthur Motsis (named herein as a co-conspirator but not a defendant) did wilfully and knowingly combine, conspire, confederate, and agree together and with each other and with divers other persons whose names are to the grand jury unknown, to commit an offense against the



United States, that is, to sell, barter, exchange, and give away a narcotic drug, to wit: a quantity of cocaine not in pursuance of a written order of the person to whom such narcotic was to be sold on a form issued in blank for that purpose by the Secretary of the Treasury or his delegate, in violation of Title 26, United States Code, Section 4705 (a); all in violation of Title 26, United States Code, Section 7237(b).

#### **OVERT ACTS.**

In furtherance of the conspiracy and to effect the object thereof:

1. On or about March 4, 1971, CHARLES B. BRADLEY met with a special agent of the Bureau of Narcotics and Dangerous Drugs concerning the sale of cocaine.
2. On or about March 11, 1971, CHARLES B. BRADLEY had a conversation with a special agent of the Bureau of Narcotics and Dangerous Drugs concerning a date when a sale of cocaine to the agent could be effectuated.
3. On or about March 12, 1971, CHARLES B. BRADLEY met with two special agents of the Bureau of Narcotics and Dangerous Drugs in an automobile in Cambridge. BRADLEY stated that he would sell a quantity of cocaine for \$9500.
4. On or about March 12, 1971, CHARLES B. BRADLEY, BYRON H. JOHNSON and ROBERT T. ODELL had a conversation concerning the cocaine to be sold at 73 Magazine Street in Cambridge with a special agent of the Bureau of Narcotics and Dangerous Drugs.
5. On or about March 12, 1971, WILLIAM J. HELLESEN, CHARLES B. BRADLEY, BYRON H. JOHNSON and ROBERT T. ODELL were present in the apartment at 73 Magazine Street at the time when the transfer of cocaine to a special agent of the Bureau of Narcotics and Dangerous Drugs was to take place.
6. On or about March 12, 1971, WILLIAM J. HELLIE-

SEN transported a quantity of cocaine to 73 Magazine Street, Cambridge in his automobile.

#### **COUNT II**

On or about March 12, 1971 at Cambridge in the District of Massachusetts, BYRON H. JOHNSON did sell, barter, exchange, and give away a narcotic drug, that is a quantity of cocaine, not in pursuance of a written order of the person to whom such narcotic was sold on a form issued in blank for that purpose by the secretary of the Treasury or his delegate; in violation of Title 26, United States Code, Section 4705(a).

#### **COUNT III**

On or about March 12, 1971 at Cambridge in the District of Massachusetts, CHARLES B. BRADLEY, JR., did sell, barter, exchange, and give away a narcotic drug, that is, a quantity of cocaine, not in pursuance of a written order of the person to whom such narcotic was sold on a form issued in blank for that purpose by the secretary of the Treasury or his delegate; in violation of Title 26, United States Code, Section 4705(a).

#### **COUNT IV**

On or about March 12, 1971 at Cambridge in the District of Massachusetts, CHARLES B. BRADLEY, JR., did wilfully, knowingly and unlawfully carry a firearm, to wit: P. Beretta-Gardone V.T., Caliber 22 LR—Model 1948, Serial No. 076851 N, an automatic pistol containing a clip of seven rounds of ammunition, during the commission of a felony which may be prosecuted in a court of the United States, that is, a violation of Title 26, United States Code, Sections 4705(a) and 7237(b); in violation of Title 18, United States Code, Section 924(c)(2).

#### **COUNT V**

On or about March 12, 1971 at Cambridge in the District of Massachusetts, ROBERT T. ODELL, JR. did wilfully,

knowingly and unlawfully carry a firearm, to wit: Fabrique Nationale D'Arms, DeGuerre Herstal Belgique, Caliber 32, Serial No. 143694, an automatic pistol containing a clip with six rounds of ammunition, during the commission of a felony which may be prosecuted in a court of the United States, that is, a violation of Title 26, United States Code, Section 4705(a) and Section 7237(b); in violation of Title 18, United States Code, Section 924(c)(2).

#### COUNT VI

On or about March 12, 1971 at Cambridge in the District of Massachusetts, WILLIAM J. HELLIENSEN did wilfully, knowingly and unlawfully carry a firearm, to wit: Mac-C, 1919 Model 1935 S, M1, Caliber 7.65 L, an automatic pistol containing a clip with six rounds of ammunition, during the commission of a felony which may be prosecuted in a court of the United States, that is, a violation of Title 26, United States Code, Sections 4705(a) and 7237(b); in violation of Title 18, United States Code, Section 924(c)(2).

UNITED STATES DISTRICT COURT

FOR THE

DISTRICT OF MASSACHUSETTS

Cr No. 71-147-W

UNITED STATES OF AMERICA

v.

CHARLES B. BRADLEY, JR.

#### JUDGMENT AND COMMITMENT

On this 2nd day of June, 1971 came the attorney for the government and the defendant appeared in person and by counsel

It Is ADJUDGED that the defendant upon his pleas of not guilty as to counts 1, 3, and 4, and verdicts of guilty as to counts 1, 4, and not guilty as to count 3, has been convicted



of the offenses of violations of Title 26, U.S.C., Section 7237(b) in that he did wilfully conspire with other persons to commit an offense against the United States, that is, to sell a narcotic drug (cocaine) not in pursuance of a written order on a form issued in blank by the Secretary of the Treasury; and Title 18, U.S.C., Section 924(c)(2) in that he did wilfully, knowingly and unlawfully carry a firearm during the commission of a felony which may be prosecuted in a court of the United States, as charged in an Indictment and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It Is ADJUDGED that the defendant is guilty as charged and convicted.

It Is ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for a period of five (5) years on count 1. The Court directs that defendant be given credit for the six (6) days he has already spent in custody from March 12, 1971 through March 17, 1971. And on count 4, defendant be imprisoned for a period of one (1) year, said prison sentence to be served on and after the sentence imposed on count 1; said prison sentence is suspended, and defendant is placed on probation for a period of three (3) years.

It Is ADJUDGED that both sentences are stayed pending appeal.

It Is ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the Deputy United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

(s) C. WYZANSKI

*United States District Judge.*

(s) RUSSELL H. PECK Clerk.

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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Cr No. 71-147-W

UNITED STATES OF AMERICA

v.

WILLIAM JAMES HELLIESEN

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JUDGMENT AND COMMITMENT

On this 2nd day of June, 1971 came the attorney for the government and the defendant appeared in person and by counsel

It Is ADJUDGED that the defendant upon his pleas of not guilty as to counts 1 and 6, and verdicts of guilty as to counts 1 and 6, has been convicted of the offenses of violations of Title 26, U.S.C., Section 7237(b) in that he did wilfully conspire with other persons to commit an offense against the United States, that is, to sell a narcotic drug (cocaine) not in pursuance of a written order on a form issued in blank by the Secretary of the Treasury; and Title 18, U.S.C., Section 924(c)(2) in that he did wilfully, knowingly and unlawfully carry a firearm during the commission of a felony which may be prosecuted in a court of the United States, as charged in an Indictment and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It Is ADJUDGED that the defendant is guilty as charged and convicted.

It Is ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of five (5) years on count 1. The Court directs that defendant be given

credit for the four (4) days he has already spent in custody, from March 12, 1971 through March 15, 1971. And on count 6 defendant be imprisoned for a period of one (1) year, said prison sentence to be served on and after the sentence imposed on count 1; said prison sentence is suspended, and defendant is placed on probation for a period of three (3) years.

IT IS ADJUDGED that both sentences are stayed pending appeal.

IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the Deputy United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

(s) C. WYZANSKI

*United States District Judge.*

(s) RUSSELL H. PECK *Clerk.*

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UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

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Cr No. 71-147-W

UNITED STATES OF AMERICA

v.

ROBERT T. ODELL, JR.

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JUDGMENT AND COMMITMENT

On this 2nd day of June, 1971 came the attorney for the government and the defendant appeared in person and by counsel

IT IS ADJUDGED that the defendant upon his pleas of not guilty as to counts 1 and 5, and verdicts of guilty as to counts 1 and 5, has been convicted of the offenses of violations of Title 26, U.S.C., Section 7237(b) in that he did wilfully conspire with other persons to commit an offense

against the United States, that is, to sell a narcotic drug (cocaine) not in pursuance of a written order on a form issued in blank by the Secretary of the Treasury; and Title 18, U.S.C., Section 824(c)(2) in that he did wilfully, knowingly and unlawfully carry a firearm during the commission of a felony which may be prosecuted in a court of the United States, as charged in an Indictment and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

**IT IS ADJUDGED** that the defendant is guilty as charged and convicted.

**IT IS ADJUDGED** that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of five (5) years on count 1. The Court directs that defendant be given credit for the five (5) days he has already spent in custody, from March 12, 1971 through March 16, 1971. And on count 5, defendant be imprisoned for a period of one (1) year, said prison sentence to be served on and after the sentence imposed on count 1; said prison sentence is suspended, and defendant is placed on probation for a period of three (3) years.

**IT IS ADJUDGED** that both sentences are stayed pending appeal.

**IT IS ORDERED** that the Clerk deliver a certified copy of this judgment and commitment to the Deputy United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

(s) C. WYZANSKI

*United States District Judge.*

(s) RUSSELL H. PECK

*Clerk.*

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS

Cr No. 71-147-W

UNITED STATES OF AMERICA

v.

BYRON H. JOHNSON

JUDGMENT AND COMMITMENT

On this 2nd day of June, 1971 came the attorney for the government and the defendant appeared in person and by counsel

It Is ADJUDGED that the defendant upon his pleas of not guilty as to counts 1 and 2, and verdicts of guilty as to counts 1 and 2, and verdicts of guilty as to count 1, and not guilty as to count 2, has been convicted of the offense of violation of Title 26, U.S.C., Section 7237(b), in that he did wilfully conspire with other persons to commit an offense against the United States, that is, to sell a narcotic drug (cocaine) not in pursuance of a written order on a form issued in blank by the Secretary of, the Treasury, as charged in an Indictment and the court having asked the defendant whether he has anything to say why judgment should not be pronounced, and no sufficient cause to the contrary being shown or appearing to the Court,

It Is ADJUDGED that the defendant is guilty as charged and convicted.

It Is ADJUDGED that the defendant is hereby committed to the custody of the Attorney General or his authorized representative for imprisonment for a period of five (5) years. The Court directs that defendant be given credit for the fifteen (15) days he has already spent in custody, from March 12, 1971 through March 26, 1971.

It Is ADJUDGED that both sentences are stayed pending appeal.



IT IS ORDERED that the Clerk deliver a certified copy of this judgment and commitment to the Deputy United States Marshal or other qualified officer and that the copy serve as the commitment of the defendant.

(s) C. WYZANSKI

*United States District Judge.*

(s) RUSSELL H. PECK *Clerk.*

# TRANSCRIPT OF SECOND DAY OF TRIAL

[Title omitted in printing]

[Day 2, p. 4]

Mr. Homans: Your Honor, it now being May 4th, taking into consideration the repeal of 26 United States Code, Section 7237, I think it should be stated for the record that all defense counsel to my knowledge have suggested to the Office of the United States Attorney that they would be prepared to discuss the question of pleading to informations carrying non-mandatory minimum sentences. I say this merely for the record and not to put pressure on my brother, but since it may raise questions in the future, as to the effect of that amendment, and the position it puts the defendants and defense counsel in, we have offered to discuss the question of pleading to non-mandatory counts. We have not been successful.

Mr. Ware: I have discussed the question and I refuse to dismiss the mandatory charges.

The Court: Is the statute exactly the same except reduction of penalty?

Mr. Ware: No, Your Honor.

Mr. Chisholm: May I have the statement now?

Mr. Ware: Yes.

End of conference at the bench.)

**UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT**

Nos. 71-1186, 71-1187,  
71-1188, 71-1189.

**UNITED STATES OF AMERICA,**  
**APPELLEE,**

**v.**

**CHARLES B. BRADLEY, JR.,**  
**BYRON H. JOHNSON,**  
**ROBERT T. ODELL, JR., and**  
**WILLIAM JAMES HELLIESEN,**  
**DEFENDANTS, APPELLANTS.**

**APPEAL FROM THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

**January 27, 1972**

**(Opinion appears in Petition for Writ of Certiorari  
at pp. 18-29)**

**UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT**

**No. 71-1186.**

**UNITED STATES OF AMERICA,**  
**APPELLEE,**

**v.**

**BYRON H. JOHNSON,**  
**DEFENDANT, APPELLANT.**

**JUDGMENT**

Entered: January 27, 1972

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts, and was argued by counsel.

Upon consideration whereof, It is now here ordered, adjudged and decreed as follows: The judgment of the District Court is affirmed.

By the Court:

(s) DANA H. GALLUP,  
*Clerk.*

By: (s) FRANCIS P. SCIGLIANO  
*Chief Deputy Clerk.*

[cc: Messrs. Homans and Ware.]

**UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT**

No. 71-1187.

**UNITED STATES OF AMERICA,****APPELLEE,***v.***WILLIAM HELLIESEN,****DEFENDANT, APPELLANT.****JUDGMENT**

Entered: January 27, 1972

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts, and was argued by counsel.

Upon consideration whereof, It is now here ordered, adjudged and decreed as follows: The judgment of the District Court is affirmed.

By the Court:

(s) DANA H. GALLUP,  
*Clerk.*

By: (s) FRANCIS P. SCIGLIANO  
*Chief Deputy Clerk.*

[cc: Messrs. Homans and Ware.]

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UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

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No. 71-1188.

UNITED STATES OF AMERICA,

APPELLEE,

v.

CHARLES B. BRADLEY, JR.,

DEFENDANT, APPELLANT.

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JUDGMENT

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Entered: January 27, 1972

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts, and was argued by counsel.

Upon consideration whereof, It is now here ordered, adjudged and decreed as follows: The judgment of the District Court is affirmed.

Enter:

By the Court:

(s) DANA H. GALLUP,  
*Clerk.*

By: (s) FRANCIS P. SCIGLIANO  
*Chief Deputy Clerk.*

[cc: Messrs. Lapon and Ware.]

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

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No. 71-1189.

UNITED STATES OF AMERICA,

APPELLEE,

v.

ROBERT T. ODELL, JR.,

DEFENDANT, APPELLANT.

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JUDGMENT

Entered: January 27, 1972

This cause came on to be heard on appeal from the United States District Court for the District of Massachusetts, and was argued by counsel.

Upon consideration whereof, It is now here ordered, adjudged and decreed as follows: The judgment of the District Court is affirmed.

Enter:

By the Court:

(s) DANA H. GALLUP,  
*Clerk.*

By: (s) FRANCIS P. SCIGLIANO  
*Chief Deputy Clerk.*

[cc: Messrs. Altman and Ware.]

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**UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT**

Nos. 71-1186, 71-1187,  
71-1188, 71-1189.

**UNITED STATES OF AMERICA,  
APPELLEE,**

**v.**

**CHARLES B. BRADLEY, JR.,  
BYRON H. JOHNSON,  
ROBERT T. ODELL, JR., and  
WILLIAM JAMES HELLIESEN,  
DEFENDANTS, APPELLANTS.**

**DEFENDANTS', APPELLANTS' MOTION FOR  
ORDER VACATING SENTENCES AND FOR REMAND**

Defendants, Appellants move that the sentences herein be vacated and that the cases be remanded to the District Court for resentencing pursuant to Rule 35, Federal Rules of Criminal Procedure.

The grounds of this motion are as follows:

1. Each defendant, appellant was found guilty on May 6, 1971, of violation of 26 U.S.C., § 7237(b) and thereafter adjudged to be guilty as charged and convicted and further it was adjudged that each defendant, appellant be committed to the custody of the Attorney General for a period of five years pursuant to the conditions of 26 U.S.C., § 7237(b) and (d);
2. Under the provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970, P.L. 91-513, certain sentencing alternatives, including probation, suspension of sentence and parole became effective as of May 1, 1971;

3. The District Court imposed illegal sentences upon defendants, appellants in that said Court did not take into account in sentencing defendants, appellants the provisions of the Comprehensive Drug Abuse Prevention and Control Act of 1970, P.L. 91-513, insofar as such Act provided the aforesaid sentencing alternatives;

4. Defendants, appellants state that this motion is made in good faith in that the holding of *United States v. Stephens*, 449 F.2d 103 (9 Cir., 1971), holds that the sentencing alternatives in P.L. 91-513 are available to defendants sentenced following May 1, 1971, even though convicted of offenses carrying mandatory minimum sentences prior to May 1, 1971.

By their attorneys,

(s) WILLIAM P. HOMANS, JR.

WILLIAM P. HOMANS, JR.

FEATHERSTON, HOMANS & KLUBOCK

45 School Street

Boston, Massachusetts 02108

(s) EDWARD M. ALTMAN

EDWARD M. ALTMAN

678 Massachusetts Avenue

Cambridge, Massachusetts 02139

(s) STANLEY R. LAPON

STANLEY R. LAPON

678 Massachusetts Avenue

Cambridge, Massachusetts 02139

**UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT**

**Nos. 71-1186, 71-1187,  
71-1188, 71-1189.**

**UNITED STATES OF AMERICA,**

**APPELLEE,**

**v.**

**CHARLES B. BRADLEY, JR., BYRON H. JOHNSON,  
ROBERT T. ODELL, JR., and  
WILLIAM JAMES HELLIESEN,**

**DEFENDANTS, APPELLANTS.**

**DEFENDANTS', APPELLANTS' MOTION  
FOR STAY OF MANDATE**

Defendants, appellants move that the mandate of this Court be stayed until such time as defendants, appellants shall have been resentenced by the District Court in accordance with defendants, appellants motion for order vacating sentences and for remand filed herewith.

By their attorneys,

(s) **WILLIAM P. HOMANS, JR.**

**WILLIAM P. HOMANS, JR.**

**FRATHERSTON, HOMANS & KLUBOCK**

**45 School Street**

**Boston, Massachusetts 02108**

(s) **EDWARD M. ALTMAN**

**EDWARD M. ALTMAN**

**678 Massachusetts Avenue**

**Cambridge, Massachusetts 02139**

(s) **STANLEY R. LAPON**

**STANLEY R. LAPON**

**678 Massachusetts Avenue**

**Cambridge, Massachusetts 02139**

UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

---

Nos. 71-1186, 71-1187,

71-1188, 71-1189.

UNITED STATES OF AMERICA,

APPELLEE,

v.

CHARLES B. BRADLEY, JR.,

BYRON H. JOHNSON,

ROBERT T. ODELL, JR., and

WILLIAM JAMES HELLIESEN,

DEFENDANTS, APPELLANTS.

---

ON MOTION FOR ORDER VACATING SENTENCES

AND FOR REMAND

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March 10, 1972

(Opinion appears in Petition for Writ of Certiorari  
at pp. 11-15)

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UNITED STATES COURT OF APPEALS  
FOR THE FIRST CIRCUIT

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No. 71-1186.

UNITED STATES OF AMERICA,

APPELLEE,

v.

BYRON H. JOHNSON,

DEFENDANT, APPELLANT.

---

No. 71-1187.

UNITED STATES OF AMERICA,

APPELLEE,

v.

WILLIAM HELLIESEN,

DEFENDANT, APPELLANT.

No. 71-1188.

UNITED STATES OF AMERICA,

APPELLEE,

v.

CHARLES B. BRADLEY, JR.,

DEFENDANT, APPELLANT.

No. 71-1189.

UNITED STATES OF AMERICA,

APPELLEE,

v.

ROBERT T. ODELL, JR.,

DEFENDANT, APPELLANT.

ORDER OF COURT

Entered March 10, 1972

In accordance with the opinion filed herein today.

It is ordered that the appellants' motion for order vacating sentences and for remand and appellants' motion for stay of mandate pending resentencing be, and they hereby are, denied.

By the Court:

(s) DANA H. GALLUP  
Clerk.





**Supreme Court of the United States**

No. 71-1304, ~~October Term 1971~~

**James B. Bradley, Jr., et al.,**

**Petitioners,**

**v.**

**United States**

**ORDER ALLOWING CERTIORARI. Filed June 12 -----, 19 72.**

The petition herein for a writ of certiorari to the United States Court of Appeals for the **First -----** Circuit is granted.